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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,181	08/21/2003	Hiroshi Satomi	03500.014419.1	7320
5514 7590 04/08/2008 FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112				
EXAMINER				
DANNEMAN, PAUL				
ART UNIT		PAPER NUMBER		
3627				
MAIL DATE		DELIVERY MODE		
04/08/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/645,181

Applicant(s)

SATOMI ET AL.

Examiner

PAUL DANNEMAN

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 385-389, 391-393, 401, 409 and 411 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 410 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. This action is in reply to Applicant's response, filed on 14 January 2008 to the first office action.
2. Claims 1-384 were previously canceled.
3. Claims 390, 394-400, 402-408, 410 and 412-417 are canceled.
4. Claims 385-389, 391-393, 401, 409 and 411 have been amended.
5. Claims 385-389, 391-393, 401, 409 and 411 have been examined.

Response to the Arguments

6. Examiner thanks the applicant for explaining the invention.
7. Applicant's arguments with respect to claims 385-389, 391-393, 401, 409 and 411 have been considered but are moot in view of the new ground(s) of rejection.

Status of the Claims

Claim Objections

8. **Claim 410 is objected** to because of the following informalities: Applicant has canceled the claim, yet the list of claims shows Claim 410 as (Currently Amended) without any text. Appropriate correction is required.

Claim Rejections - 35 USC § 103

9. **Claims 385-389, 391-393, 401, 409 and 411** are rejected under 35 U.S.C. 103(a) as being unpatentable over Freedman, US 4,839,829.

Claims 385, 386, 392, 393 and 401:

With regard to the limitations:

- *An image forming method for charging a user for printout of output information over a network.*
- *Output information is registered based on a user designation.*
- *Selecting which information will be printed out and then printing out the information.*
- *Determining and outputting the amount user will be charged for the printing to a display.*
- *User request contains plural type of output information.*

Freedman in at least Column 3, lines 49-67, Column 4, lines 1-2, Fig.1A and Fig.1B discloses a system for automated control of the printing of a work. The system comprises printing requester terminals and printing facility terminals. The printer requested terminal is connected to a computer for receiving and storing the printing parameter information. The computer interacts with the printing facility terminal for receiving and storing pricing and administrative information concerning the printing of the work. The computer transmits the pricing and administrative information to the first terminal for use by the printing requester. Freedman in at least Column 4, lines 25-35 further discloses that the term "printing" encompasses any and all processes and/or the use of any type of machine or device which can be employed or utilized for preparing and producing imaging on a substrate which can be machine or humanly read, including, but without limitation: letter press, intaglio, gravure, lithographic, etc. Freedman in at least Column 5, lines 1-23 still further discloses the communication link between the printing requester terminals, the printing facility terminals and the computer may be regular phone lines (PSTN), leased lines adapted for transmission of high speed data, a packet switch network, etc. Freedman in at least Column 1, lines 17-41 further discloses that the system interacts with the user to collect, compare, and store information regarding the user and the parameters related to the user's needs. Freedman in at least Column 7, lines 62-67, Column 8, lines 1-15 and Figs 2A and 2B

discloses the system requiring the user to log onto the system using a password or key and entering customer identification information and a job identification number or code to facilitate tracking of the printing job. Therefore, it would have obvious, at the time of the invention, to one of ordinary skill in the art to determine that Freedman's disclosure offers the same functionality as applicant's invention.

Claims 387-389 and 391:

With regard to the limitation:

- ***Determining the charge amount on a monetary basis based on an initial bid and a subsequent revision based on a change of the initial print order.***

Freedman in at least Column 9, lines 64-67 and Column 10, lines 1-14 discloses the computer calculating the total number of finished pages for the job and displaying to the requester all publication design parameters. Alternatively, it may be desirable to insert an additional graphic at some point in the text to fill up the last page or to insert an advertisement, form or coupon on the last or some other page for efficient usage of all pages. Freedman in at least Column 10, lines 15-35 further discloses that if the requester makes no further changes the computer then calculates cost information utilizing alternate pricing strategies. The requester is further provided with verification of the parameters, prices, etc. Freedman in at least FIG 3A and 3B and Column 10, lines 55-63 still further discloses providing a cost estimate for a particular job. Freedman in at least Column 3, lines 19-46 still further discloses a client opting to modify a standing printing order and the printing facility having to adjust the cost and production schedules accordingly. Therefore, it would have been obvious, at the time of the invention, to one of ordinary skill in the art that initial bids which are subsequently finalized for an order are a normal part of a business transaction which Freedman provides and is functionally similar to applicant's invention.

Claim 409:

With regard to the limitation:

- ***Registering and storing the printing information in a database.***
- ***Automatically selecting the information to be printed out in response to entry of the output information identification code.***

Freedman in at least Column 3, lines 49-67, Column 4, lines 1-2, Fig.1A and Fig.1B discloses a system for automated control of the printing of a work. The system comprises printing requester terminals and printing facility terminals. The printer requested terminal is connected to a computer for receiving and storing the printing parameter information. The computer interacts with the printing facility terminal for receiving and storing pricing and administrative information concerning the printing of the work. Freedman in at least Column 7, lines 62-67, Column 8, lines 1-15 and Figs 2A and 2B discloses the system requiring the user to log onto the system using a password or key and entering customer identification information and a job identification number or code to facilitate tracking of the printing job. Therefore, it would have obvious, at the time of the invention, to one of ordinary skill in the art to determine that Freedman's disclosure offers the same functionality as applicant's invention.

Claim 411:

With regard to the limitation:

- ***Information to be printed has attributes including print effective date, position within the printout where additional information is to be printed or a print size.***

Freedman in at least Column 10, lines 15-36 discloses the printing requester being provided with information regarding the various job costs, timing, etc. Freedman in at least Column 9, lines 18-44 further discloses the system incorporating expert systems software to review the inputs of the requester, comparing the inputs to stored rules of the printing trade to prohibit violation of the rules from occurring such as inserting an improperly scaled graphic. Therefore, it would have

obvious, at the time of the invention, to one of ordinary skill in the art to determine that Freedman's disclosure offers the same functionality as applicant's invention.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:
- Ueda et al., US 6,429,923 B1, teaches a photographic processing system, order receiving system and product delivery system.
11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAUL DANNEMAN whose telephone number is (571)270-1863. The examiner can normally be reached on Mon.-Thurs. 6AM-5PM Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Florian Zeender can be reached on 571-272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3627

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Paul Danneman/

Examiner, Art Unit 3627

1 April 2008

/F. Ryan Zeender/

Supervisory Patent Examiner, Art Unit 3627